

A BILL

FOR AN ACT TO AMEND SECTION 1452, CHAPTER 11, OF THE CODE.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1452, chapter 3, title 11, of the Code, be and the same is hereby
2 repealed and the following be substituted therefor:

3 Sec. 1452. The owners of any stock or domestic animals prohibited by law or police
4 regulation of any county from running at large at any of the times hereinbefore men-
5 tioned, shall be liable to pay a fine of twenty-five cents per head for each offense, which
6 shall be collected by the road supervisor of the road district in which said stock or
7 domestic animals shall be so running at large, and pay the same to the county treasurer
8 and take his receipt therefor, and for all damages done thereby while wrongfully re-
9 maining at large upon the public highway, or upon the improved or cultivated lands of
10 another, which may be recovered by action at law, or the party injured may, at his op-
11 tion, distrain the trespassing animals, and retain the same in some safe place, at the
12 expense of the owner, until the damages are paid as provided in sections fourteen hun-
13 dred and fifty-four, fourteen hundred and fifty-five and fourteen hundred and fifty-six,
14 of the Code; said damages to be assessed pro rata per head, and each owner, if more
15 than one owner, be liable for the pro rata amount, and each owner shall have the right
16 to discharge his stock from distraint by paying the said pro rata amount to the person
17 damaged, together with his pro rata share of the cost of distraint; *provided*, that no
18 stock or domestic animal, except the male animals mentioned in section fourteen hun-
19 dred and forty-seven of the Code, shall be considered as running at large, so long as the
20 same is upon unimproved or uncultivated lands, and under the immediate care and con-
21 trol of the owner, or upon the public highway under like care and control, for the pur-
22 pose of travel or driving thereon.